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OFFICE OF PETITIONS

In re Application of :
BORDEN, IV :
Application No. 09/823,219 :
Filed: March 29, 2001 :
Attorney Docket No. KLR/7146.0091 :
:

DECISION
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 31, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed April 6, 2005, which set a shortened statutory period for reply of three (3) months. A three-month extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on October 7, 2005.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137 (b) in that (1) the reply in the form of a Request for Continued Examination (RCE), an Amendment, and the requisite fee of \$790; (2) the petition fee of \$1500; and (3) the required statement of unintentional delay. Accordingly, the RCE, the Amendment and the filing fee are accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4787.

The application matter is being forwarded to Group Art Unit 2174.

Denise Pothier
Petitions Examiner
Office of Petitions